

# **A G E N D A**

**MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY**  
**Regular Meeting**  
**County Administration Conference Room**  
**Montgomery County Government Center**  
**April 6, 2009**  
**7:00 P.M.**

**I. CALL TO ORDER**

**II. DETERMINATION OF QUORUM**

**III. PUBLIC ADDRESS SESSION**

**IV. CONSENT AGENDA**

**V. INTO WORK SESSION**

A. FY 2010 Budget

**VI. OUT OF WORK SESSION**

**VII. OLD BUSINESS**

A. Approve Policy Relating to Inserts in Utility Bill Mailings

B. Approve Montgomery County Public Service Authority Identity Theft Prevention Program

**VIII. NEW BUSINESS**

A. Addition of New Water Revenue Line Item to PSA Budget

**IX. FINANCIAL REPORT**

**X. DIRECTOR'S REPORT**

**XI. AUTHORITY MEMBERS' REPORT**

## **XII. INTO CLOSED MEETING**

Section 2.2-3711

- (7) Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel
  - 1. Sewer Agreement – Town of Christiansburg – Pepper's Ferry Road
  - 2. Water & Sewer Negotiations – City of Radford – Rock Road West
- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
  - 1. Director's Evaluation

## **XIII. OUT OF CLOSED MEETING**

## **XIV. CERTIFICATION OF CLOSED MEETING**

## **XV. ADJOURNMENT**

**TO:** PSA Board of Directors  
**FROM:** Robert C. (Bob) Fronk, PSA Director  
**DATE:** April 3, 2009  
**SUBJECT:** **AGENDA REPORT - PSA REGULAR MEETING – APRIL 6, 2009**

**I. CALL TO ORDER**

The Chair will call this meeting to order.

**II. DETERMINATION OF QUORUM**

The Chair will determine if a quorum is present.

**III. PUBLIC ADDRESS SESSION**

The Chair will ask if there are any comments from the public. Each person will be allowed five minutes to address the Board.

**IV. CONSENT AGENDA**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves the Consent Agenda, dated April 6, 2009.

**V. INTO WORK SESSION**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby enters into Work Session for the purpose of discussing the following:

A. FY 2009-2010 Budget See Item 3.

**VI. OUT OF WORK SESSION**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby ends their Work Session to return to Regular Session.

**VII. OLD BUSINESS**

A. **SUBJECT: APPROVE POLICY RELATING TO INSERTS  
IN UTILITY BILL MAILINGS**

**R09-04-2  
RESOLUTION APPROVING  
UTILITY BILL MAILING INSERTS**

**PROPOSED RESOLUTION:**

BE IT RESOLVED, that the Public Service Authority hereby approves the following policy relating to inserts in PSA utility bill mailings:

**Utility Bill Mailing Inserts Policy**

Governmental agencies may place governmental related notices, flyers, surveys, etc. in the PSA utility (water & sewer) bill mailings provided the requesting agency pays all costs associated with printing, handling, postage, etc., including any additional billing costs incurred by the PSA for including the insert in the billing. The PSA Director shall approve all requests and items to be included in the utility bill mailings.

Payments for the estimated additional cost shall be made prior to the mailing, and refunds or bill for additional costs shall be made after receipt of the actual invoice for the mailing from the PSA Contractor performing such service.

ISSUE/PURPOSE: To establish a policy that will apply to any and all agencies requesting inserts to be placed in PSA water/sewer bill mailings.

JUSTIFICATION: At the February 2, 2009 PSA meeting, the Director discussed a request made by the Christiansburg Rescue Squad to place a flyer in the PSA utility bill mailings. The Board requested the Director prepare a policy for placing inserts in utility bill mailings.

**B. SUBJECT: APPROVE MONTGOMERY COUNTY  
PUBLIC SERVICE AUTHORITY IDENTITY  
THEFT PREVENTION PROGRAM**

**R09-04-3  
RESOLUTION APPROVING MONTGOMERY COUNTY  
PUBLIC SERVICE AUTHORITY IDENTITY THEFT  
PREVENTION PROGRAM**

**PROPOSED RESOLUTION:**

WHEREAS, pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003, the Montgomery County Board of Directors has determined that a Program is appropriate for the nature and scope of the Authority's activities; and,

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves and adopts the Montgomery County Public Service Authority Identity Theft Prevention Program. The Identity Theft Prevention Program is hereby attached and made a part of this resolution by reference.

BE IT FURTHER RESOLVED, that the PSA Director is authorized to implement this program and work with Finance personnel on training in order to comply with said program.

ISSUE/PURPOSE: Under the Red Flag Rule, every financial institution and creditor is required to establish an "Identity Theft Prevention Program". Due to the size and complexity of the Authority's operations and account systems, and the nature and scope of the Authority's activities, it was determined that this Program was appropriate for the Montgomery County Public Service Authority.

JUSTIFICATION: At the PSA meeting of October 6, 2008, the Board discussed a draft program and instructed the Director and County Attorney finalize the Program for future adoption by the Authority. See Item 4.

## **VIII. NEW BUSINESS**

A. SUBJECT: ADDITION OF NEW WATER REVENUE LINE ITEM TO PSA BUDGET

**R09-04-4  
RESOLUTION AUTHORIZING ADDITION  
OF NEW WATER REVENUE LINE ITEM  
TO PUBLIC SERVICE AUTHORITY BUDGET**

**PROPOSED RESOLUTION:**

BE IT RESOLVED, that the Public Service Authority hereby authorizes the addition of a new water revenue line item to the Public Service Authority budget for Fire Hydrant Availability Fees; and, authorizes the PSA Director to work with the Finance Director to establish the line item.

JUSTIFICATION: At the PSA meeting of August 4, 2008, the Board approved several new and increased rates for the Authority. One of the new fees was a Fire Hydrant Availability Fee to be billed and paid by Montgomery County. Montgomery County has been invoiced and appropriated funds for this fee. Since the new fee was approved after the PSA budget; a new water revenue line item needs to be created in order to deposit money in the water budget.

## **IX. FINANCIAL REPORT**

The financial report for period ending March 31, 2009 will be presented for review and discussion. See Item 5.

**X. DIRECTOR'S REPORT**

The Director's report will be presented at this time. See Item 6.

**XI. AUTHORITY MEMBERS' REPORT**

1. Member Muffo
2. Member Politis
3. Member Perkins
4. Member Brown
5. Member Marrs
6. Member Biggs
7. Member Creed

**XII. INTO CLOSED MEETING**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby enters into Closed Meeting for discussion of the following:

- |                  |  |
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| Section 2.2-3711 | <p>(7) Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel</p> <ol style="list-style-type: none"><li>1. Sewer Agreement – Town of Christiansburg – Pepper's Ferry Road</li><li>2. Water &amp; Sewer Negotiations – City of Radford – Rock Road West</li></ol> |
|------------------|--|

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Director's Evaluation

### **XIII. OUT OF CLOSED MEETING**

#### **PROPOSED RESOLUTION:**

BE IT RESOLVED, that the Public Service Authority ends their Closed Meeting to return to Regular Session.

### **XIV. CERTIFICATION OF CLOSED MEETING**

#### **PROPOSED RESOLUTION:**

WHEREAS, the Public Service Authority of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Public Service Authority does hereby agree, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the meeting to which this certification resolution applies; and (ii) only public business matters as were identified in the motion conveying the Closed Meeting were heard, discussed or considered by the Authority.

### **XV. ADJOURNMENT**

#### **PROPOSED RESOLUTION:**

BE IT RESOLVED, that the Public Service Authority does hereby adjourn to the next meeting scheduled for May 4, 2009.

**CONSENT AGENDA**  
**April 6, 2009**

**A. APPROVAL OF MINUTES**

**1. SUBJECT: APPROVAL OF MINUTES DATED  
FEBRUARY 2, 2009 & MARCH 23, 2009**

**ISSUE/PURPOSE:** The above listed minutes are before the Board for approval. See Item 1.

**B. EASEMENTS/DEEDS**

**1. SUBJECT: RESOLUTION APPROVING DEED OF  
EASEMENT – CMH HOMES, INC. –  
SPRINGVIEW SUBDIVISION LOT 15**

**R09-04-1  
RESOLUTION APPROVING  
DEED OF EASEMENT – CMH HOMES, INC.  
SPRINGVIEW SUBDIVISION LOT 15  
PUBLIC WATERLINE EASEMENT**

**PROPOSED RESOLUTION:**

BE IT RESOLVED, by the Board of Directors of the Montgomery County Public Service Authority, that the Board of Directors hereby agree to accept the proposed Deed of Easement from CMH Homes, Inc., conveying a 1420.01 square foot permanent, public water easement to the Montgomery County Public Service Authority for the purpose of locating a water line on property identified as Tax Map No. 090-C 19 15 located in the Riner Magisterial District of the County of Montgomery. The Deed of Easement is hereby attached and made a part of this Resolution by reference.

BE IT FURTHER RESOLVED, that the Chair of the Montgomery County Public Service Authority is hereby authorized to sign the above referenced Deed of Easement for the purpose of acknowledging acceptance of the Easement on behalf of the Board of Directors of the Montgomery County Public Service Authority.

**ISSUE/PURPOSE:** Acceptance of public water easement for installation of waterline located on Springview Subdivision Lot 15, 1670 Blue Spruce Drive. See Item 2.

**JUSTIFICATION:** This water easement is necessary to proceed with waterline installation.